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09/886,942

I hereby certify that this correspondence is being hand-delivered in an envelope addressed to:  
Examiner Gerald G. Leffers Jr.  
United States Patent and Trademark Office  
Art Unit 1636  
1911 S. Clark Street  
Crystal Mall One, 7<sup>th</sup> Floor  
Arlington, VA 22202 703-308-6232

On: 12/3/03, 2003

By: [Signature]

Printed Name: Heather Savla

Attorney Docket No.: 0179.210US  
(formerly Attorney Docket No.:  
02-031910US)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Juha Punnonen, et al.

Application No.: 09/886,942

Filed: June 21, 2001

Examiner: Leffers Jr., Gerald G.

Art Unit: 1636

**COMMUNICATION REGARDING  
REFERENCES PREVIOUSLY  
SUBMITTED WITH PREVIOUSLY  
FILED INFORMATION  
DISCLOSURE STATEMENT**

For: **NOVEL CHIMERIC PROMOTERS**

Examiner Gerald G. Leffers Jr.  
United States Patent and Trademark Office  
Art Unit 1636  
1911 S. Clark Street  
Crystal Mall One, 7<sup>th</sup> Floor  
Arlington, VA 22202 703-308-6232

Dear Sir:

Enclosed is a second copy of the Form PTO-1449, which was originally filed with the USPTO in the above-referenced application along with copies of the references cited therein, on December 13, 2001. The Examiner acknowledges that Applicants submitted the Form PTO-1449, but that the references were not placed in the file. Thus, the information referred to therein has not been considered as to the merits. In the Office Action mailed on July 30, 2003 in the above-referenced application, the Examiner has indicated that he can obtain copies of the US patents and

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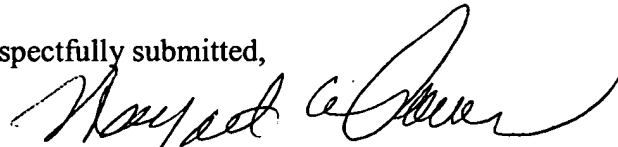
international applications cited on the Form PTO-1449, but has requested that Applicants re-submit copies of the other publications listed on the Form PTO-1449. In a subsequent telephone interview, the Examiner has also indicated he would appreciate receiving copies of the international applications.

Applicants thank the Examiner for his careful review of the file in an effort to locate the previously submitted references. Pursuant to his request, enclosed are copies of the international patent applications and non-patent publications cited on the previously submitted Form PTO-1449. Copies of the cited US patents are not enclosed. A copy of the Form PTO-1449 has also been enclosed for the convenience of the Examiner. The cited references are being called to the attention of the Examiner. It is respectfully requested that the cited information be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR §1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

**Applicant believes that no fee is required for submission of this statement, because this IDS and copies of the references therein were previously submitted to the USPTO, but were apparently lost upon receipt. In the Office Action dated July 30, 2003, the Examiner confirmed that no fees would be due. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 50-0990. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.**

Respectfully submitted,



Margaret A. Powers  
Attorney for Applicants  
Reg. No. 39,804

Maxygen, Inc.  
Patent Department  
515 Galveston Drive  
Redwood City, California 94063  
Telephone: (650) 298-5300  
Facsimile: (650) 298-5446  
Customer No. 30560